

Appl. No. 10/770,619
Reply to Office Action of August 29, 2006

REMARKS/ARGUMENTS

The claims are amended to more particularly define the invention based on the description regarding the side chains, defined on page 21, lines 13 to page 22, lines 9 of the specification.

The rejection of claims based on (or based primarily on) a combination of Maeda and Liu along with other art, is in part based on the reasoning (in item 3 on page 2 of the office action), that "The hydrophilic polymer may have side chains introduced by graft polymerization (col.7, line 66 to col. 8, line 30)".

Although the art pointed out by the Examiner shows a possibility of introducing some functional groups to the side chains, it does not disclose the requirement of a hydrophilic polymer compound having a photosensitive group as modifying group capable of constituting the side chain, as now required in the claims.

More specifically, Maeda et al. does not show the side chains constituted by a modifying group selected from the groups

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of photo-dimerizable type photo-decomposable type, photo-polymerizable type, photo-modifying type and photo-dimerizable type. Nor does the secondary art render such groups obvious for use in Maeda. The combined art does not show or suggest that such modifying groups be used in Maeda.

This is not just a question of selection. The reason why Maeda et al. does not show the side chains of the invention is explained by the descriptions of Maeda et al. itself. Maeda et al.'s use of "the term "hydrogel" indicates a polymer having a three-dimensional network constitution, being swollen with a solvent mainly comprising water and having no flowability. "Because electron beam crosslinking reaction in the present invention is initiated mainly by the pulling of hydrogen, non-specified functional group is crosslinked" (see col. 8, lines 30-36).

It is therefore submitted that the crosslinking process of Maeda et al. differs from the present invention. Furthermore Maeda et al. does not show or allow of the specific hydrophilic polymer compound which has the side chains constituted by a modifying group selected from the groups of photo-dimerizable type, photo-decomposable type, photo-polymerizable type, photo-

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modifying type and photo-dimerizable type.

Furthermore, the teaching in the other cited art, including the other primary and secondary references i.e. Liu et al. (US 2003/0099816), Kobayashi et al.(6,761,941 or 5,612,281), Hann et al_(6,838,136), and Pekala et al. (WO 99/21723), does not disclose the feature above mentioned. Such teaching also cannot be derived from any combination thereof. Nor does the secondary art change the essential requirements of Maeda.

Therefore, it is submitted that it is not obvious to one of ordinary skill in the art to reach the claimed inventions from the disclosures of the references, alone or in any combination therefor since the feature is not found in any references or obvious thereover.

With respect to the provisional double patenting rejections, reconsideration thereof in view of the amendment to the claims, is requested. Also; if the present application is allowable otherwise, it is requested that the double patenting issues be withdrawn and resolved in the pending applications.

In view of the above, the rejections are avoided. Allowance of the application is therefore respectfully requested.

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+1-212-319-5101 customer 01933

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Frishauf, Holtz, Goodman
& Chick, P.C.
220 Fifth Ave., 16th Floor
New York, NY 10001-7708
Tel. No. (212) 319-4900
Fax No.: (212) 319-5101
MJC/sg

Respectfully submitted,

MARSHALL J. CHICK
Reg. No. 26,853

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